**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.3996 OF 2007

DATED 01st MARCH, 2007

Between

B.Srinivasa Rao

... Petitioner

AND

The Government of A.P., rep.by Secretary to Government, Endowments Department, Secretariat, Hyderabad and others.

.... Respondents

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**ORDER:**

The petitioner is allegedly ex-village Munsif and ex-Sarpanch of Sangam Jagarlamudi village of Tenali Mandal in Guntur District. Aggrieved by the orders of the Government in G.O.Ms.No.83, Revenue (Endowments-IV) Department, dated 27.01.2006, the petitioner filed the instant writ petition seeking a writ of Certiorari for quashing the impugned Government Order.

The background of the facts, in a nutshell, is as follows. The first respondent issued orders in G.O.Rt.No.1779, dated 15.11.1994 directing to treat as many as eight temples in Tenali Mandal as Rachur Group temples. The fifth respondent herein was declared as hereditary trustee of the group temples by virtue of the orders passed by the fourth respondent on 14.09.1996. The fifth respondent made a representation on 14.11.2005 under Section 154 of A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1987 (the Act, for brevity) seeking exemption of Rachur group temples from the operation of the provisions of the Act. The second respondent submitted a report to the Government on 17.11.2005 to the effect that the Management of the temples is running in smooth manner with effective Management under the fifth respondent. Considering the same, the first respondent issued a Notification under Section 154 of

the Act vide impugned G.O., exempting Rachur group temples from the operation of the provisions of Sections 15 and 29 of the Act. The petitioner is aggrieved by the said order.

Learned counsel for the petitioner submits that the impugned Government Order is contrary to the provisions of Endowments Act and exemption was granted by the first respondent ignoring Section 154(c) of the Act. According to the learned counsel, the fifth respondent is mismanaging the temples and for this reason, a Board of Non-hereditary Trustees was appointed for one of the group temples, namely, Sri Sangameswara Swamy Temple in Sangam Jagarlamudi Village, which was also upheld by the Government. Secondly, he contends that it would be impossible for one person to manage all the eight temples situated within a radius of eighty kilometers.

At the preliminary stage, this Court put a query regarding the *locus standi* of the petitioner, who is a resident of Sangam Jagarlamudi village, to challenge the order of the first respondent covering all eight temples in different villages from the provisions of the Act. Learned counsel for the petitioner did not give any satisfactory reply. As per Section 2(18) of the Act, *a person having interest* includes in the case of a religious institution, a person who is entitled to attend at the performance of service or the worship connected with the institution. The petitioner has not placed any material to satisfy these conditionalities to claim *locus standi* to challenge the impugned Government Order, which was issued almost one year ago. A perusal of the impugned order would show that necessary procedure was followed by the Government before issuing the Government Order and the same was issued considering the report of the second respondent, who is a repository of the power of general superintendence and control over all Charitable and Hindu Religious Institutions and Endowments.

The writ petition is misconceived and is accordingly dismissed. No costs.

**(V.V.S.RAO,J)**

01.03.2007.
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